

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

DATE: July 6, 2007

SUBJECT: Reports of Significant Developments and Activities
Ending on June 29, 2007

FROM: Richard C. Karl, Director
Superfund Division

TO: Mary A. Gade
Regional Administrator

Bharat Mathur
Deputy Regional Administrator

The activities listed below are organized by site-specific activities and training/conferences:

SITE-SPECIFIC ACTIVITIES

Emergency Response, Forest Avenue Bridge Oil, Ypsilanti, Michigan

On June 13, 2007, On-Scene Coordinator Brian Schlieger responded to an oil spill release in Ypsilanti, Michigan, at the request of the Washtenaw County Hazardous Materials Director. An unknown sheen was observed to be actively discharging into the Huron River. The sewer line was traced, but no immediate source could be identified. Washtenaw County Hazmat and Western Wayne Hazmat initially responded to the scene and placed adsorbent boom. United States Environmental Protection Agency (U.S. EPA) Emergency and Rapid Response Services Contractors were mobilized to the site to deploy additional boom. A sample submitted to the U.S. Coast Guard Central Oil Identification Lab identified the oil as lubricating oil; however its source is still unknown. Investigations with the Washtenaw County Drain Commission and Ypsilanti Public Works are still ongoing to identify a potentially responsible party.

Contact: Brian Schlieger (734-692-7681)

**Potentially Responsible Party (PRP) Removal Start, T.C. Esser
Paint Site, Milwaukee, Wisconsin**

On June 27, 2007, the removal action at the T.C. Esser Paint site was initiated. Pursuant to an Administrative Order on Consent (AOC), potentially responsible party (PRP) contractors began additional soil and groundwater sampling at the South Underground Storage Tank (UST) Farm, with oversight by On-Scene Coordinator (OSC) Craig Thomas. Disposal of hazardous wastes from the USTs will be completed. Asbestos containing material (ACM) inside the building will also be addressed. The removal action is scheduled for completion in August 2007.

Contact: Craig Thomas (312-886-5907)

Settlement with Jones Dairy Farm, Inc., Fort Atkinson, Wisconsin

On June 27, 2007, U.S. EPA entered into a Consent Agreement and Final Order with Jones Dairy Farm, Inc., to resolve alleged violations of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) release reporting requirements. The Agency alleged that Jones Dairy Farm, Inc., failed to immediately notify the National Response Center, and Wisconsin State Emergency Response Commission (SERC) of a release of 2,805 pounds of ammonia which occurred from their facility on October 6, 2004. Anhydrous ammonia is a CERCLA hazardous substance and an EPCRA extremely hazardous substance with a 100 pound reportable quantity. In addition, Jones Dairy Farm, Inc., failed to submit written follow up reports to the SERC as soon as practicable after the release. The original proposed penalties were \$114,735. According to the applicable reductions in the Enforcement Response Policy and litigation considerations both parties agreed to a settlement which requires Jones Dairy Farm, Inc., to pay \$36,060 in a cash penalty (\$12,020 to Superfund and \$24,040 to the Treasury), and conduct a Supplemental Environmental Project totaling \$29,925. Jones Dairy Farm, Inc. will install ammonia detectors at the facility which will be tied into an alarm system. This immediate knowledge of a release will ensure timely notification of an accidental release.

Contact: Ruth McNamara (312-353-3193)

Settlement Reached, Owens Corning Corporation, Granville, Ohio

On June 26, 2007, the Agency filed a joint Administrative Complaint and Consent Agreement and Final Order (CAFO) against Owens Corning Corporation, Granville, Ohio. The alleged violation was for Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act. As part of the settlement Owens Corning Corporation will remove the trichloroethylene degreaser and replace it with an Entron system. The facility will properly dispose of the old equipment and chemical. The value of the project is almost \$18,000. The penalty to be paid to the Superfund is \$3,000. Owens Corning Corporation will have 30 days to pay the penalty and until July 31, 2007, to complete the project.

Contact: James Entzminger (312-886-4062)

Removal Assessment, Strongsbrook PCB Spill Site, Ashtabula, Ohio

On June 19-22, 2007, On-Scene Coordinator Jim Augustyn along with Superfund Technical Assessment & Response Team (START) contractor personnel conducted oversight of a potentially responsible party (PRP) lead removal assessment at the Strongsbrook Polychlorinated Biphenyl (PCB) Spill site, Ashtabula, Ohio. The assessment was performed under a Toxic Substance Control Act (TSCA) Consent Agreement and Final Order (CAFO) Docket No. TSCA-05-2007-0012.

On March 3, 2007, a release of PCBs from the facility was documented by the Ohio Environmental Protection Agency (Ohio EPA). The CAFO required the PRP to conduct an assessment of the off site impacts to the environment. During the assessment the PRP collected approximately 40 soil and sediment samples from Strongsbrook and the marina it discharges into. The marina is located on the Ashtabula River in the vicinity of an ongoing Great Lakes Legacy Act sediment dredging cleanup. In addition to sample collection, the PRP performed storm sewer inspections and video taping of nearly a mile stretch of sewer pipe. Further investigation will be determined pending review of analytical results.

Contact: Jim Augustyn (440-250-1742)

Removal Site Assessment, U.S. Scrap Site, Chicago, Illinois

On June 25, 2007, at the request of the Illinois Environmental Protection Agency, U.S. EPA On-Scene Coordinator Craig Thomas and

Superfund Technical Assistance and Response Team (START) members conducted a site assessment at the U.S. Scrap Site located in Chicago, Illinois. The purpose of the assessment was to determine if a removal action was warranted at the site. Waste liquids were pooled in several locations across the site and stained soils were sampled as part of the assessment. After sample results are received, a decision is expected on what course of action will be taken by U.S. EPA. The findings of the assessment will be prepared by U.S. EPA in the near future and a copy will be provided to Illinois EPA.

Contact: Craig Thomas (312-886-5907)

TRAINING/CONFERENCES

Spill of National Significance Exercise

On June 19-21, 2007, U.S. EPA Region 5, 6, and 7 personnel, the Federal Emergency Management Agency (FEMA), the U.S. Coast Guard, and State and local agencies participated in the Spills of National Significance (SONS) exercise. Approximately 150 Region 5 personnel from all divisions participated. The simulated scenario involved a major oil spill at the Great Lakes Naval Training Center in Lake County, Illinois. Multiple oil and chemical releases at various locations resulting from a simulated catastrophic earthquake along the New Madrid flat line followed shortly afterwards. Following the exercise conclusion, Chemical Emergency Preparedness and Prevention Section (CEPPS) staff provided written evaluations and comments as part of the exercise "hot wash".

Contacts: Ann Whalen (312-886-7258)
Shelia Calovich (312-353-1505)

Meeting, Federal Emergency Management Agency Quarterly Regional Incident Steering Committee, Chicago, Illinois

On June 27, 2007, Glenn Cekus, Chemical Emergency Preparedness and Prevention Section (CEPPS), attended the quarterly Federal Emergency Management Agency (FEMA) Regional Incident Steering Committee meeting, held in the Chicago FEMA office. Some of the agenda topics included a presentation on strengthening financial institutions against natural and man made disasters, lessons learned from the recent Ardent Sentry exercise, and the concept of operations for the 2007 hurricane season. One topic of

interest was the changes taking place in the National Incident Management System and National Response Plan (NRP) that are currently scheduled for approval by August 31, 2007. On line refresher courses are being produced for both documents and the NRP is being renamed the "National Response Framework". This new version of the latter document will contain basic response information, but the annexes will be on line only. Mr. Cekus gave a brief overview of the Spills of National Significance (SONS) exercise for the participants.

Contact: Glenn Cekus (312-353-6449)

Spill Prevention, Control and Countermeasures Update, Small Business Ombudsman/Small Business Environmental Assistance Program National Conference (SBO/SBEAP), St. Paul, Minnesota

On June 19, 2007, Barb Carr, Spill Prevention, Control and Countermeasures (SPCC) Coordinator (Oil Section) spoke at the Small Business Ombudsman/Small Business Environmental Assistance Conference (SBO/SBEAP) in St. Paul, Minnesota. The conference was designed specifically for State SBOs/SBEAPs, other small business environmental assistance providers, U.S. EPA, and small businesses. Session topics ranged from technical/rule/policy updates to program and personal development issues.

Opportunities were available for programs to network and share compliance assistance tools. Dr. Carr spoke to the attendees about the most recent revisions to the SPCC regulation, clarifications and exemptions, and the extension of the compliance deadline to July 1, 2009, www.epa.gov/oilspill. In addition, the major components of an SPCC plan, the SPCC Inspector's Guidance Document (available on the website), what to expect during an inspection, and applicability exercises were also part of the presentation.

Contact: Barb Carr (312-886-7187)

Meeting, Greener Cleanups, Chicago, Illinois

On June 27, 2007, U.S. EPA and the Illinois Environmental Protection Agency (Illinois EPA) hosted a meeting (supported by Illinois EPA using 128a Brownfields funds) in Chicago to discuss the Greener Cleanups issue and to seek opportunities for productive projects to be performed over the next year. Greener Cleanups is a fairly new concept, through which we can seek to maximize the overall environmental benefit and sustainability of the process of site investigation and cleanup (coordinated with

redevelopment). About 30 people participated, including Federal, State and local governments, environmental consultants, and an attorney. Speakers included Deb Goldblum of Region 3 (Resource Conservation and Recovery Act) and Carlos Pachon of the Office of Superfund Remediation and Technology Innovation (who has received funding from the Brownfields program to work on Greener Cleanups). The results from this session will be synthesized by Illinois EPA and U.S. EPA, and will be used to chart out next steps on this issue. More detailed proposals are likely to follow soon.

Region 5 participants included Margaret Guerriero, Jose Cisneros, Gary Victorine, Ann Wentz, Jim Mayka, Jon Peterson, Verneta Simon, Jim Van der Kloot, and Chris Choi.

Contact: Jim Van der Kloot (312-353-3161)

Great Lakes Dredging Team Call, Chicago, Illinois

The Great Lakes Dredging Team (GLDT) held a conference call on June 8, 2007. Bonnie Eleder, as the U.S. EPA Region 5 representative, participated on the call. The call included: a pamphlet on the dredging process in the Great Lakes will be out for review in about a week; formal endorsement by participating agencies on the updated Charter is near completion; the Environmental Windows Work Group is reconvening to develop a regional approach; a legislative update on the Water Resources Development Act; a report on the GLDT-hosted visit by a delegation of the Chinese Dredging Association to the former U.S. Steel South Works property in Chicago on June 6 to view/learn about beneficial use of sediments on that property; the outreach campaign on navigational dredging; and the upcoming annual meeting in Chicago on October 3, 2007. An issue was raised regarding the significant increase in corn production for ethanol (due to government subsidies) which is expected to have a domino effect on the ability to maintain the water transportation system in the Great Lakes (with resulting economic implications). A white paper is being developed on this by the Great Lakes Commission with funding from the U.S. Army Corps of Engineers. Additional information regarding the Great Lakes Dredging Team may be found at: <http://www.glc.org/dredging/>

Contact: Bonnie Eleder (312-886-4885)

Regional Dredging Teams/National Dredging Team Call, Chicago, Illinois

On June 11, 2007, a Regional Dredging Teams/National Dredging Team (RDT/NDT) meeting was held via teleconference. Bonnie Eleder, as the NDT Liaison for the Great Lakes Regional Dredging Team (GLDT), participated on this call. Agenda items included: National Dredging Policy review, the Policy and NDT Action Agenda will be released for a 45-day public comment period via the Federal Register next week; Regional Sediment Management planning and opportunities for application by the RDTs; the upcoming annual NDT/RDT meeting to be held in San Francisco over October 29-30, 2007; and updates on current activities by the RDTs. The next call will be on September 11, 2007.

The National Dredging Team (NDT) was established in 1995 to implement the recommendations in a report to the Secretary of Transportation on the dredging process, <http://www.epa.gov/owow/oceans/ndt/report.html>, to promote national and regional consistency on dredging issues, and to provide a mechanism for issue resolution and information exchange among Federal, State, and local agencies and stakeholders. Additional information regarding the NDT and RDTs may be found at: <http://www.epa.gov/owow/oceans/ndt/>

Contact: Bonnie Eleder (312-886-4885)

Contaminated Sites Progress Review Meeting, Chicago, Illinois

On June 20, 2007, Bonnie Eleder, as Chair of the Contaminated Sediment Regional Research Advisory (RRAG), participated in the annual Contaminated Sites Progress Review via teleconference. These meetings are convened by Office of Research and Development (ORD) and Office of Solid Waste and Emergency Response (OSWER) for the purpose of reviewing: the status of research activities and accomplishments for each of the key environmental themes, like contaminated sediments, ground water, and human health; and the plans for the upcoming year.

Ms. Eleder provided a brief presentation, "Proposed Enhancements to the Regional Research Advisory Group Process." Suggestions to improve the process include establishing a regular schedule for ORD research project update calls; establishing a list server for project updates, research project deliverables, etc.; clarifying the roles/responsibilities of RRAG members and ORD researchers; conducting annual reviews of regional science needs and their prioritization; and enhancing RRAG input into ORD research projects. The proposal was apparently well received and next steps include further discussions with ORD regarding their

implementation.

Contact: Bonnie Eleder (312-886-4885)

Region 5 States/U.S. EPA Sediment Forum Conference Call, Chicago, Illinois

On June 21, 2007, the Region 5 States/U.S. EPA Sediment Forum held its third call of 2007. Participants included: Indiana, Minnesota, Ohio, and Wisconsin. The key presentation was on remediation of the St. Louis River/Interlake/Duluth Tar site. The 2004 Record of Decision for the sediment operable unit selected a dredge/cap hybrid remedy. Approximately 25 acres of contaminated sediment (around 224,000 cubic yards) will be dredged with a cleanup goal of 13.7 milligrams per kilogram (mg/kg) total polycyclic aromatic hydrocarbons (TPAH). Cover material will be placed over dredged areas to isolate any dredge residual, restore pre-dredge water depth, and provide a substrate for reestablishing habitat. The undredged portion of Stryker Bay (around 11 acres) will be capped and surcharged to restore pre-remediation water depth and provide an appropriate substrate to reestablish habitat. The cap was completed in 2006. Initiation of the dredging portion began in 2007, with approximately 46,000 cubic yards of sediment removed thus far. Other items included the Ashtabula River Legacy Act remediation project; Hog Island habitat restoration project; completion of the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) Contaminated Sediment Focus Group project, "Guide to Assessment and Remediation of State Sediment Sites," and ASTSWMO's upcoming project on long term monitoring at sediment sites.

Contact: Bonnie Eleder (312-886-4885)

U.S. EPA Sediment Forum Call, Chicago, Illinois

On June 28, 2007, the second U.S. EPA Sediment Forum call was held. Represented were Regions 1, 2, 3, 5, 6, 9, and 10, the Great Lakes National Program Office, the Office of Research and Development, and the Office of Superfund Remediation and Technology Innovation (OSRTI). First, several models were presented for the potential organization of the Sediment Forum, including a presentation by Luanne Vanderpool on the Technical Support Project (TSP) Ground Water Forum, plus overviews of the Superfund Radiation Risk Work Group, Ecological Risk Assessment Forum (ERAF), and Risk Assessment Teleconference for Superfund (RATS) were provided. The group agreed to proceed with calls every other month and an annual meeting, and will reevaluate the

Forum's purpose toward the end of the first year. Next, a report on use of Lotus QuickPlace as a list server for the Sediment Forum was given. There was agreement to pursue establishing the Sediment Forum QuickPlace. Kelly Madalinski provided an overview of U.S. EPA Headquarters contractor support services (preparation of call and meeting summaries, and annual meeting support).

Bonnie Eleder, Region 5, and Kymberlee Keckler, Region 1, co-chair the Forum. The Forum is open to U.S. EPA employees with an interest in contaminated sediment issues and sites. The next call is August 23, 2007.

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